THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10518 of 2007

18.6.2007

Between:

Karri Somireddy, S/o.Muni Reddy
And another

… Petitioners

AND

The District Collector, West Godavari District, Eluru
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10518 of 2007

ORDER:

Two petitioners are residents of Aravelli village of Attili Mandal in West Godavari District. First petitioner is the son of second petitioner. They own agricultural lands admeasuring Acs.8.68 and Acs.7.75 cents respectively in various survey numbers situated at Skinnerapuram of Attili Mandal. It is their case that there is a small strip of land admeasuring Acs.0.53½ cents in R.S.No.71/1 & 5 between petitioners' land and the road which is being used as thrashing floor, for taking cattle and as ingress and egress for the petitioners' land. It is alleged that the third respondent proposed to assign the land as house sites under Integrated Novel Development In Rural And Model Municipal Areas (INDIRAMMA) scheme. Petitioners apprehend that if the land is assigned, they would be deprived of pathway to their land. Therefore, they seek a writ of Mandamus declaring the action of the respondents in assigning the road margin in front of the petitioners' land as illegal and arbitrary.

The matter was listed on 16.5.2007 in the vacation Court. Thereafter it was adjourned directing the learned Assistant Government Pleader for Revenue (General-A) to get instructions in the matter. Today after getting instructions learned Assistant Government Pleader submits that there is no proposal to assign the land as alleged by the petitioners. He further submits that the road from Mancherial to Bheemavaram is passing in front of the petitioners' land, is pathway. The allegation that except that pathway there is no way for the petitioners' land is denied. He further submits that the land admeasuring Acs.0.53½ cents in R.S.No.71/1 & 5 is classified as Grama kantham, which is being used as playground and also a public health center is constructed therein.

In view of the submissions made by the learned Assistant Government Pleader, this Court holds that the writ petition is filed on mere apprehension. In case of assignment of land as alleged, petitioners may approach the District Collector for necessary redressal.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

June 18, 2007.
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